

MINUTES

Petronila Creek TMDL Public Meeting

Johnny Calderon County Center, Robstown
Tuesday, Sept. 17, 2002, 7 – 9 pm

Agenda

7:05 Welcome (Edward Jungmann, Nueces County Soil & Water Conservation District)

7:10 Introduction (Linda Fernandez, Fernandez Group, Inc.)

- project team introduction
- overview of agenda, structure for session, goals

7:15 Water Quality in Segment 2204 (Bill Rue, EA Engineering)

- monitoring information
- data
- issues
- potential sources

7:30 Q&A

How are the segment-specific criteria values set for the creek?

By trying to estimate concentrations that would exist without any point or significant human-caused non-point sources as contributors. TCEQ has detailed statistical procedures in place for this, which also include using ambient data for certain locations and conditions.

Where were the photos [used in the presentation] taken?

Those were provided by an EA team member not in attendance tonight. (Interested parties may contact Maurice Akech at (972) 484-1420 or makech@eaest.com.)

Do you have upstream samples? Does upstream water meet water quality standards?

EA Engineering has compiled as much data as possible for the segment, including upstream sources. Parties that possess any additional data are invited to submit it to EA. The fact that the TMDL has been initiated indicates that standards are being met on upstream sources.

What do you mean by “brine injection”?

Brine is a by-product of oil production that formerly was discharged, or “injected,” directly into Petronila Creek. Brine also settles into the soil; runoff from rain can carry brine into water bodies.

The oil wells in this area are monitored; they can’t be a source of pollution in the creek.

The presentation’s list of nonpoint sources is a generic explanation of nonpoint pollution; it does not list specific determined causes of the chemical concentrations in this segment.

Where are the sampling stations? Most of the creek is dry most of the year. When there is water, it is often salt water seepage up from Baffin Bay.

The sampling stations are relatively evenly spaced along the entire length of the creek. If backup from the bay is a factor in the creek’s noncompliance with water quality standards, this will be addressed in the TMDL.

The presentation mentioned six permitted dischargers. Who are they?

The TCEQ's information lists six holders of wastewater discharge permits to be sampled: Bishop Consolidated ISD, City of Agua Dulce, City of Orange Grove, City of Driscoll, City of Coastal Bend Youth City, and Nueces County WCID No. 5.

Later clarification from TCEQ: the number of sources listed in the presentation has been reduced. Four permitted dischargers will be sampled, as follows:

- City of Agua Dulce
- City of Orange Grove
- City of Coastal Bend Youth City
- Petronila Elementary

My land is located below the wastewater treatment plants, and the only flow I ever see in the creek is ugly brown discharge.

The TMDL team encourages citizens to provide information on water quality issues to the Region 14 TCEQ Field Office.

7:35 TMDL Process (Bill)

- regulatory status of Segment 2204
- Phase 1: monitoring & evaluation
- Phase 2: allocations & plan implementation

7:50 Q&A

Do sampling records exist for the segment prior to 1994?

EA Engineering collected as much data as possible on the segment at the outset of the project, including data prior to 1994. This project will focus on newer, more representative data.

Are the contaminants in the creek limited to those addressed by this TMDL?

Chlorophyll *a*, an indicator of algae overgrowth, has been listed as a potential concern for this segment. At this time the segment has not violated water quality standards for chlorophyll *a*, so no remedying action is planned.

Do the sampling results include soil samples taken in areas where the creek is dry? Could removing soil improve water quality in the creek?

Dry weather monitoring is included in the sampling program; all sections of the creek are part of the system and the geology of the watershed needs to be considered. In theory, soil removal from dry sections could improve the overall compliance condition of the creek.

Does the state require that every watershed be sampled every three years?

TMDLs are driven by the US EPA's water quality standards, and the states are generally required to update the 303(d) list [of impaired water bodies] every three years. The TCEQ maintains a continuous Surface Water Quality Monitoring Program around the state, so the 303(d) list is actually updated on a rolling interval basis. Each segment is under a phase of evaluation every three years that coincides with the Statewide Basin Management Schedule.

When was this type of monitoring initiated?

The path to developing the Clean Water Act was long and complex, but the basic approach to monitoring and reporting has been in place for about 30 years. TMDLs have been part of the CWA since 1972. More detailed information about the TMDL program is available on the TCEQ website at www.tceq.state.tx.us as well as the US EPA's website at www.epa.gov/owow/tmdl/.

8:00 Public Participation (Linda)

- purpose
- Stakeholder Advisory Group (SAG): requirements & responsibilities
- planning session results:
 - stakeholder categories/technical resources identified
 - SAG options

8:15 Discussion & Nominations for Stakeholder Advisory Group

The consensus at the public meeting was to establish a Stakeholder Advisory Group (SAG) comprised of representatives from local communities in the watershed and also identify a Technical Advisory Group (TAG) of support agencies and organizations.

Participants agreed on the following composition for the SAG:

- Agriculture
- Oil, gas & mining
- Permitted dischargers
- Local governments/municipalities
- Industry
- Local drainage districts
- Public interest

It was understood that participants can change over the course of the TMDL to best meet the goals of the program. The attached list includes SAG nominees from the meeting and from subsequent follow-up calls.

8:50 Closing Remarks (Kerry Niemann, TCEQ)

Attachments: proposed Stakeholders Advisory Group
attendee list

Proposed Stakeholders Advisory Group

Petronila Creek/segment 2204 TMDL

Farming & ranching

Edward Jungmann, Nueces Soil & Water Conservation District
Leon Bernsen, water right holder

Oil, gas & mining

Ken Kerrihard, Continental Resources, Inc.
Walter Jeffery, Apache Corporation

Permitted dischargers

City of Agua Dulce (to be determined)
City of Driscoll (to be determined)

Local governments/municipalities

Hon. William J. Ordner, Mayor, City of Petronila (unconfirmed)

Industry

Doug Duncan, Texas Ecologists

Local drainage districts

Jerry Faske, Nueces County Bishop Driscoll Drainage District
Ramiro Carrion, Nueces County Drainage & Conservation District 2 (Robstown)

Public interest

Ken Faughn, Robstown Area Development Commission

Technical Advisory Group

Proposed Agencies & Contacts

TCEQ (Kerry Niemann)
Texas State Soil & Water Conservation Board (Donna Long)
Texas Railroad Commission (William “BJ” Thompson)
Texas Alliance of Energy Producers (Bill Stevens)
Texas Independent Producers & Royalty Owners (Scott Anderson)
US Department of Agriculture—Natural Resource Conservation Service (John Freeman)
Texas Parks & Wildlife Department (Michael Weeks)
Nueces River Authority (Gabby Grunkemeyer)
Texas A&M Cooperative Extension (TBA)
Texas Department of Agriculture (TBA)

ATTENDEES LIST: Public Meeting 9/17/2002
Petronila Creek/segment 2204 TMDL

Kerry Niemann, TCEQ
Bill Rue, EA Engineering, Science, and Technology, Inc.
Linda Fernandez, Fernandez Group, Inc.
Rob Lifford, Fernandez Group, Inc.
Edward Jungmann, Nueces SWCD
John Freeman, USDA-NRCS
Jimmy Turnini, Continental Resources, Inc.
Ken Kerrihard, Continental Resources, Inc.
Gary D., King Ranch, Inc.
Juan Garcia, King Ranch, Inc.
Kelly Ruble, TCEQ Region 14
Doug Duncan, Texas Ecologists, Inc.
Harvey Buehring, Nueces County Ag. Extension Services
Donna Long, Texas State Soil & Water Conservation Board
Adrian Perez, TSSWCB
Andy Garza, TSSWCB
Sinoel Contreras, TCEQ
Scott Nicholson, US Ecology
Martin Fleming, TIPRO
Walter Jeffery, Apache Corp.
Mark Ford, Apache Corp.
Leon Bernsen, land owner, Robstown, TX
Ernest Ball, land owner, Nueces County
Leila Pezeshki, TAMU
Santiago Galvan, TAMU
"Smiley" Nava, TPWD, Corpus Christi
Michael Weeks, TPWD, Corpus Christi
Ken Faughan, Robstown Area Development Council
Michelle Long, El Centro
Ramon G. Juarez, TCEQ Region 14